

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

November 17, 2006

Board of Land and Natural Resources
State of Hawaii
Honolulu, Hawaii

OAHU

Amend Prior Board Action of October 13, 2006, Agenda Item D-10; Authorization to Execute Leases for Private Noncommercial Pier Purposes issued after June 30, 2006; Wailupe and Kaneohe, Oahu: TMK (1) 3-6-1:34, 4-4-18:74, 4-4-37:35, 4-5-58:37, 4-7-10:40, 4-7-30:15 seaward

REMARKS:

On October 13, 2006, agenda item D-10, the Board authorized the execution of leases after June 30, 2006 for private noncommercial pier purposes, for good cause. A copy of the Board submittal is attached as Exhibit A.

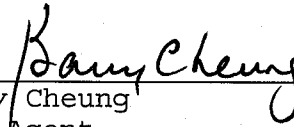
A total of six (6) cases were covered by the October 13, 2006 approval. Staff inadvertently missed three cases, which should have been included in the October 2006 submittal. The cases are listed as follows:

<u>Tax Map Key</u>	<u>Names</u>
(1) 3-6-001:030	Robert & Candace Childs
(1) 4-4-007:004	Manuel & Tina Manfredi
(1) 4-4-014:052	Wayland & Raynette Lum

Staff respectfully requests the Board authorize the execution of the above mentioned three pier leases.

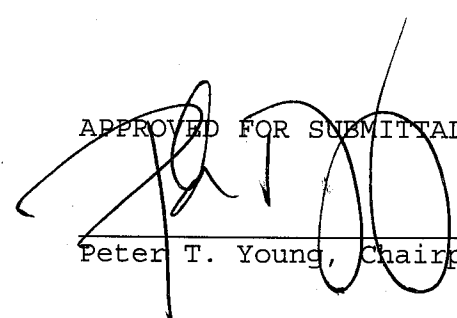
RECOMMENDATION: That the Board amend its prior action of October 13, 2006, agenda item D-10, by adding the subject leases mentioned in the Remarks Section to the October 13, 2006 approval.

Respectfully Submitted,



Barry Cheung
Land Agent

APPROVED FOR SUBMITTAL:



Peter T. Young, Chairperson

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Honolulu, Hawaii 96813

October 13, 2006

Board of Land and Natural Resources
State of Hawaii
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Authorization to Execute Leases for Private Noncommercial
Pier Purposes issued after June 30, 2006; Wailupe and
Kaneohe, Oahu; TMK (1) 3-6-1:34, 4-4-18:74, 4-4-37:35, 4-5-
58:37, 4-7-10:40, 4-7-30:15 seaward

REMARKS:

Pursuant to Act 261, SLH 2000, the Board is authorized to issue direct leases for private noncommercial pier purposes without obtaining the prior approval of the Governor and the Legislature. Act 129, SLH 2005, extends the sunset date of Act 261 to June 30, 2007. Further, Act 129 urges the Board to commence using prevailing real property tax assessment value in determining the lease rent for leases entered into after July 1, 2006 to prompt procrastinating owners who desire to enter into leases with the State.

As of the date of this submittal, there are over 120 leases issued pursuant to Act 261. Over 90% of the executed leases are in the Kaneohe area, while the rest are on Wailupe Peninsula.

Due to our requirements prior to the execution of a lease, e.g. tax clearance and liability insurance, etc., some owners experienced delays in returning the signed document to us by June 30, 2006. The following six (6) cases are the owners who are waiting for the tax clearance, liability insurance, and survey map:

<u>Tax Map Key</u>	<u>Name</u>
(1) 3-6-001:034	Edward J. Weldon, III
(1) 4-4-018:074	Dorothy Nakama
(1) 4-4-037:035	Kathleen Brizuela
(1) 4-5-058:037	Craig Kagawa
(1) 4-7-010:040	John Thomas
(1) 4-7-030:015	Frank Medrano

Staff believes that these applicants are acting in good faith to comply with our requirements prior to the execution of a lease. Therefore, staff requests that the Board authorize the Chairperson to execute these leases although they are not based on the prevailing real property tax assessment value, for good cause.

EXHIBIT "A"

October 13, 2006

RECOMMENDATION:

That the Board authorize the Chairperson to execute the subject leases mentioned in the Remarks Section after June 30, 2006 for private noncommercial pier purposes, although they are not based on the prevailing real property tax assessment value, for good cause.

Respectfully Submitted,

Barry Cheung
Barry Cheung
Land Agent

APPROVED FOR SUBMITTAL:

Peter T. Young Chairperson